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8 Attorney for Defendant,
9 CARVANA LLC

10
11 UNITED STATES BANKRUPTCY COURT
12 WESTERN DISTRICT OF WASHINGTON
13 TACOMA DIVISION

14 IN RE:) CASE NO.: 19-43712-BDL
15) ADV. CASE NO.: 20-04014-BDL
16 TIMOTHY and KAREN SEVERSON,)
17) CHAPTER 7
18 Debtors.)
19) DEFENDANT CARVANA LLC'S
20) INITIAL DISCLOSURES
21 KATHRYN A. ELLIS, AS TRUSTEE FOR)
22 THE ESTATE OF TIMOTHY AND KAREN)
23 SEVERSON)
24)
25 Plaintiffs,)
26 vs.)
27)
28 CARVANA LLC,)
29)
30 Defendant.)
31)
32)

33 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

34 Defendant Carvana LLC, (“Defendant” or “Carvana”), by and through their attorney
35 GHIDOTTI | BERGER LLP hereby submit their Initial Disclosures as follows:

36 I. **INDIVIDUALS LIKELY TO HAVE DISCOVERABLE INFORMATION.**

37 Defendant’s initial disclosures are made without the benefit of any discovery.

1 Defendant, therefore, reserves the right to amend its disclosures to add additional witnesses as
2 they become known and/or ascertained.

3 1. Person Most Knowledgeable for Carvana LLC, who can be contacted through
4 counsel for Defendant. The Person Most Knowledgeable is expected to testify regarding the
5 facts and circumstances surrounding the allegations in the Complaint and Answer at issue in the
6 pending adversary.

7 2. Custodian of Records for Carvana LLC, who can be contacted through counsel
8 for Defendant. The Custodian of Records is expected to testify regarding the documents at issue
9 in this litigation.

10 3. Kathryn A Ellis, as Trustee for the estate of Timothy and Karen Severson.

11 4. Debtors Timothy DeWayne Severson and Karen Johanna Severson (“Debtors”),
12 who it is assumed can be reached through counsel for Debtors.

13 5. Discovery is ongoing and Defendant reserve the right to amend this response at
14 a later date if additional information becomes available.

16 **II. DOCUMENTS.**

17 Defendant’s initial disclosures are made without the benefit of any discovery.
18 Defendant, therefore, reserves the right to amend its disclosures to add additional documents as
19 they become known and/or ascertained.

20 Defendant is in the process of reviewing and compiling their loan, sale, bankruptcy,
21 servicing and title vehicle records relating to the issues raised in the adversary complaint.
22 Defendant will produce non-privileged documents in their possession, custody or control which
23 relate to the facts and circumstances surrounding the allegations in the Complaint, unless the
24 use would be solely for impeachment.

25 In addition, Defendant identifies any prior or current pleadings filed within the current
26 bankruptcy case of the Debtors, copies of which can be found on the bankruptcy court’s docket
27 for Debtors current bankruptcy case.

28 Discovery is ongoing and Defendant reserves the right to amend this response at a later
date if additional information becomes available.

1 **III. DAMAGES.**

2 Defendant's initial disclosures are made without the benefit of any discovery.
3 Defendant, therefore, reserves the right to amend its disclosures to add additional computation
4 of damages as they become known and/or ascertained.

5 A computation of damages is not applicable at this time as Defendant has not asserted
6 affirmative claims for relief in the action. However, Defendant reserves its rights to seek
7 recovery of costs of suit herein and further relief, including attorneys' fees as allowed by law or
8 contract. Discovery is ongoing and Responding Party reserves the right to amend this response
9 at a later date if additional information becomes available.

10 **IV. INSURANCE.**

11 Defendant's initial disclosures are made without the benefit of any discovery.
12 Defendants, therefore, reserves the right to amend its disclosures to add additional insurance
13 coverage as it becomes known and/or ascertained.

14 Defendant is not aware of any liability insurance it carries which may be liable to satisfy
15 all or part of a possible judgment or to indemnify or reimburse for payments made to satisfy the
16 judgment. Discovery is ongoing and Responding Party reserves the right to amend this response
17 at a later date if additional information becomes available.

18
19
20
21 Dated: May 19, 2020

GHIDOTTI BERGER, LLP

23 /s/ Michelle Ghidotti-Gonsalves
24 Michelle Ghidotti-Gonsalves, Esq.
25 Counsel for Defendant

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11 TACOMA DIVISION

12 IN RE:) CASE NO.: 19-43712-BDL
13 TIMOTHY and KAREN SEVERSON,) ADV. CASE NO.: 20-04014-BDL
14 Debtors.)) CHAPTER 7
15)) **CERTIFICATE OF SERVICE**
16)
17)
18)
19)
20)
21)
22)

KATHRYN A. ELLIS, AS TRUSTEE FOR)
THE ESTATE OF TIMOTHY AND KAREN)
SEVERSON)

Plaintiffs,)

vs.)

CARVANA LLC,)

Defendant.)

23 **CERTIFICATE OF SERVICE**
24

25 I am employed in the County of Orange, State of California. I am over the age of
26 eighteen and not a party to the within action. My business address is: 1920 Old Tustin Ave.,
27 Santa Ana, CA 92705.

28 GIHIDOTTI | BERGER LLP
1920 Old Tustin Avenue
Santa Ana, CA 92705
Tele: 949-427-2010

1 I am readily familiar with the business's practice for collection and processing of
2 correspondence for mailing with the United States Postal Service; such correspondence would
3 be deposited with the United States Postal Service the same day of deposit in the ordinary
4 course of business.

5 On May 19, 2020 I served the following documents described as:

6 • **DEFENDANT CARVANA LLC'S INITIAL DISCLOSURE**

8 on the interested parties in this action by placing a true and correct copy thereof in a sealed
9 envelope addressed as follows:

10 (Via United States Mail)

11 **Plaintiff:**

12 Kathryn A Ellis
13 Attorney at Law
14 5506 6thy Ave S, Suite 207
15 Seattle, WA 98108

16 xx (By First Class Mail) At my business address, I placed such envelope for deposit with
17 the United States Postal Service by placing them for collection and mailing on that date
18 following ordinary business practices.

19 ____ Via Electronic Mail pursuant to the requirements of the Local Bankruptcy Rules of the
20 Eastern District of California

21 xx (Federal) I declare under penalty of perjury under the laws of the United States of
22 America that the foregoing is true and correct.

23 Executed on May 19, 2020 at Santa Ana, California

24 /s/ Ana Palacios

25 Ana Palacios

26 GIHIDOTTI | BERGER LLP
27 1920 Old Tustin Avenue
28 Santa Ana, CA 92705
 Tele: 949-427-2010